

2003 DRAFTING REQUEST**Assembly Amendment (AA-AB291)**Received: **07/23/2003**Received By: **rnelson2**Wanted: **As time permits**

Identical to LRB:

For: **Mark Pettis (608) 267-2365**By/Representing: **Kimber**This file may be shown to any legislator: **NO**Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**
Nat. Res. - nav. waters

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Pettis@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Panning for gold

Instructions:

Delay implementation for 3 years

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rnelson2 07/25/2003 rkite 08/15/2003	wjackson 07/28/2003	jfrantze 07/28/2003	_____	amentkow 07/28/2003	amentkow 07/28/2003	
/2	rnelson2	csicilia	rschluet	_____	sbasford	sbasford	

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	08/20/2003	08/21/2003	08/25/2003	_____	08/25/2003	08/25/2003	
	rnelson2	wjackson		_____			
	08/21/2003	08/25/2003		_____			

FE Sent For:

<END>

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/?	rnelson2	11 WLj 7/28	67/28	Self 7/28			

FE Sent For:

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa0790/1

RPN: ~~./~~:....

WL

ASSEMBLY AMENDMENT ,
TO 2003 ASSEMBLY BILL 291

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 9: after “waters.” insert “The rules promulgated under this
3 subsection may not be enforced before the first day of the 36th month after the
4 effective date of this subsection....[revisor inserts date].”.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0790/1dn

RPN:.....

WJ

This draft amendment allows the department to promulgate rules^g but not to enforce those rules until ^{g three} 3 years after the bill becomes law. That may mean that a person could pan for gold prior to that time without being subject to any rules. If that is not your intent let me know^g so I can redraft this amendment.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0790/ldn
RPN:wlj:jf

July 28, 2003

This draft amendment allows the department to promulgate rules but not to enforce those rules until three years after the bill becomes law. That may mean that a person could pan for gold prior to that time without being subject to any rules. If that is not your intent, let me know so I can redraft this amendment.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

Bob -

Rep. Pettis called w/ redraft instructions
He wants to do the following:

1. Require rather than authorize, DNR
to promulgate rules.

2. Give DNR up to 3 years to promulgate
Rules & make the bill effective upon
promulgation of rules. I explained
to Pettis that this is difficult to do.
(See d-man 5.7.04(12))

We decided to require DNR to submit
proposed rules to Leg. Council within
3 years (see d-man 5.7.15(4)(b)) and to
make the bill effective in 3 1/2 years.

I had hoped to get this done for you
but have been very busy & ran out
of time. Call me at home if you have questions.

I have forwarded the electronic file to
your in-box.

Welcome back!

Robin

P.S. Pettis's office returned the stripes.

8/13/03

Per Rep. Pettis

Redraft amendment
require rule-making

give DNR 3 year deadline for
promulgating rules
make bill effective 6 months after
that

SOON

ASSEMBLY AMENDMENT ,
TO 2003 ASSEMBLY BILL 291

LPS:
Please
check
AutoRefs

insert 1-1:

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 9: after "waters." insert "The rules promulgated under this
3 subsection may not be enforced before the first day of the 36th month after the
4 effective date of this subsection [revisor inserts date]."
5

(END)

2003-2004 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0790/2ins
RPN:wlj:jf

1 insert 1-1:

2 ✓ 1. Page 3, line 3: delete "may" and substitute "shall".

3 ✓ 2. Page 3, line 7: delete "may" and substitute "shall".

4 ✓ 3. Page 3, line 12: after that line insert:

5 ~~A.B.A.~~ "SECTION 6g. Nonstatutory provisions.

6 (1) The department of natural resources shall submit in proposed form the rules
7 required under section 30.20 (1m) ✓ of the statutes, as created by this act, to the
8 legislative council staff under section 227.15 (1) ✓ of the statutes no later than the first
9 day of the 36th month after the effective date of this subsection. ✓

10 LPS: Please fix comp. SECTION 7m. Effective date. ^{(B) S} ~~A.B.A.~~

11 ~~W~~ This act takes effect on the first day of the 42nd month ^{beginning} after publication,
12 except as follows:

13 ¹ ~~(h)~~ ~~The treatment of~~ SECTION 6g of ~~the statutes~~ ^{this act} takes effect on the day after
14 publication."